

**DECISION**

THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

**FILE:** B-211985**DATE:** June 20, 1983**MATTER OF:** Potomac Iron Works, Inc.**DIGEST:**

GAO will not review contracting officer's nonresponsibility determination where it has been affirmed by the Small Business Administration's denial of a certificate of competency.

Potomac Iron Works, Inc. (Potomac), protests the contracting officer's determination that the firm was nonresponsible and, therefore, ineligible to receive award under invitation for bids No. N00140-83-R-0272, issued by the Department of the Navy for 550 steel channels.

Since Potomac is a small business concern, the Navy referred the contracting officer's negative responsibility determination to the Small Business Administration (SBA), as required by 15 U.S.C. § 637(b)(7) (Supp. IV 1980), for consideration under SBA's certificate of competency (COC) procedures. See 14 C.F.R. § 125.5 (1982). The SBA denied issuance of a COC.

Our Office will not question a contracting officer's negative responsibility determination where it has been affirmed by SBA's denial of a COC in the absence of fraud or bad faith. Parmatic Filter Corporation, B-210138, February 24, 1983, 83-1 CPD 187; Vermatron Corporation, B-201832.4, September 25, 1981, 81-2 CPD 250.

The protest is dismissed.

*[Signature]*  
Harry R. Van Cleve  
Acting General Counsel

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